

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TRACY CATAPANO-FOX,

Plaintiff,

-against-

THE CITY OF NEW YORK; RICHARD EMERY, in his
personal and professional capacities; and BISHOP
MITCHELL TAYLOR, in his personal and professional
capacities,

Defendants.

**NOTICE OF DEFENDANTS'
MOTION TO DISMISS THE
AMENDED COMPLAINT**

14 Civ. 8036 (KPF)

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PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Defendants' Motion to Dismiss the Amended Complaint dated February 9, 2015; and upon all other pleadings and proceedings herein, Defendants City of New York ("City"), Richard Emery, and Bishop Mitchell Taylor (collectively, "Defendants") will move this Court, at the United States District Court for the Southern District Court of New York, located at 40 Foley Square, Room 2103, New York, New York 10007, before the Honorable Katherine Polk Failla, on a date and time to be determined by the Court for an order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure dismissing the Amended Complaint in its entirety against the Defendants on the grounds that the Amended Complaint fails to state a claim for relief that is plausible on its face; and for such other relief as may be just, proper and equitable.

PLEASE TAKE FURTHER NOTICE, that in accordance with the briefing schedule so-ordered by the Court on December 30, 2014, Plaintiff is to serve her opposition papers no later than March 6, 2015, and Defendants' reply papers are to be served no later than March 20, 2015.

Dated: New York, New York
February 9, 2015

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Matter No. 2013-052178